GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Registration and Stamps Department - Sri P.Sivakesava Rao, formerly Sub-Registrar, Sub Register Office, Chilakaluripet and now retired - Departmental Proceedings initiated – Regular Enquiry conducted – report communicated – Representation received – Show Cause Notice issued – Representation received - penalty of 5% cut in pension permanently besides recovery of loss of Rs.30,530/- orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.243 Dated:05 -03-2016

Read the following:

1. DIG, R&S, Guntur Procs.No.A3/423/2008, dated: 28-10-2008.
2. Written Statement of Defence of Sri P.Sivakesava Rao, former Sub Registrar, Chilakaluripet (Retired)
3. DIG, R&S, Guntur Procs.No.A3/423/2008, dated:31-10-2011.
4. DR, R&S, Guntur Lr.No.CC/2365/2011, dated:20-10-2014.
5. DIG, R&S, Guntur Memo.No.A3/423/2008, dated:16-02-2015.
6. Representation of Sri P.Sivakesava Rao, former Sub Registrar, Chilakaluripet (Retired), dated:20-02-2015.
7. DIG, R&S, Guntur Lr.No.A1/423/2008, dated:20-03-2015.
8. D&IG, R&S, AP., Hyd., Lr.No.X1/A2/10894/2010, dated:03-07-2015.
9. Govt., Memo.No.16999/Vig.II(1)/2015-3, dt:5-12-2015.
10. Representation of the CO Sri P.Sivakesava Rao, former SR (Retd) dt:Nil received on 23-1-2016.
11. Govt., Lr.No.16999/Vig.II(1)/2015-4, dt:8-2-2016.
12. APPSC Lr.No.158/DC&C/1/2016, dt:2-3-2016.

@@@

ORDER:

Whereas, in the reference 1st read above, the Deputy Inspector General, Registration & Stamps, Guntur has initiated disciplinary proceedings against Sri P.Sivakesava Rao, former Sub Registrar, Sub Registrar Office, Chilakaluripeta (now Retired) duly framing the following charges.

CHARGE-I:

That Sri P.Sivakesava Rao, Sub Registrar, Sub Registrar Office, Chilakaluripet (now retired) had registered the property of an extent of 107.38 sq.yards situated in S.N0.143/C bearing D.No.7-376/1 of Chilakaluripet Municipality vide doct.No.557/2008 with the market value of Rs.1850/- per sq.yard instead of adopting the rider rate of Rs.3045/- per sq.yard. He failed to adopt the higher rate in the block or the rider rate in case of missing door numbers as per the instructions of the Department, resulting in loss of legitimate revenue of Rs. 1,21,943/- to the Government exchequer as pointed out in L.A.R. for the year 2007-08 of Sub Registrar Office, Chilakaluripet.

CHARGE-II:

That Sri P.Siva Kesava Rao, Sub Registrar, Sub Registrar Office, Chilakaluripet, had registered the property of an extent of 0.563/4 cents in S.No. 184(b) of Chilakaluripet vide sale deed 2497/07 by adopting the market value of Rs.2,85,000/- per acre. Since the schedule property in link document No.2462/07 had already been converted into sites and falling in Block I of Chilakaluripet Municipality near D.No. 1-1127, instead of adopting the value of Rs.360/- per sq.yard applicable to the schedule property, he registered the document with the value of acreage rate, resulting in loss of legitimate revenue of Rs.87,547/- to the Government exchequer as pointed out in L.A.R. for the year 2007-08 of Sub Registrar Office, Chilakaluripet.

CHARGE-III

That Sri P.Sivakesava Rao, Sub Registrar, Sub Registrar Office, Chilakaluripet, had registered the property of an extent of Ac.5.99 cents in S.No. 194/8,

Contd., 2

194/7,194/8, 195/7 in Block I of Chilakaluripet Municipality vide doct.No.28/07. As per the recitals of the documents the survey numbers mentioned in the document are missing in the basic value regiser, and the basic value register provides the rate of Rs.350/- per sq.yard for the S.No. 195/1 and the said rate is applicable as rider rate of the property for all the items in the documents. He registered the document with the value of Rs.5,00,000/- per acre instead of Rs.350/- per sq.yard, resulting in loss of legitimate revenue of Rs.71,521/- to the Government exchequer as pointed in L.A.R. for the year 2007-08 of Sub Registrar Office, Chilakaluripet.

CHARGE-IV :

That Sri P.Sivakesava Rao, Sub Registrar, Sub Registrar Office, Chilakaluripet, had registered the property in document Nos. 3254/07, 3255/07 and 3256/07 with the value of Rs.310/- per sq.yard with survey number which falls in Block No.l, though the survey number in document Nos. 2653/2007 and 3003/07 falling in Block I of Chilakaluripet Municipality near to D.No.1-1121 and 1-1127 applicable at the rate of Rs.360/- per sq.yard, he adopted market value of Rs.310/- per sq.yard resulting, in loss of revenue of Rs.45,821/- to the Government exchequer as pointed in L.A.R. for the year 2007-08 of Sub Registrar Office, Chilakaluripet.

CHARGE-V:

That Sri P.Sivakesava Rao, Sub Registrar, Sub Registrar Office, Chilakaluripet, had registered lease deeds in documents 1905/2007 and 5233/2007 without collecting the sufficient stamp duty required U/s 31 (iv) (c) of schedule l-A to Indian Stamp Act, 1899, resulting in loss of legitimate revenue of Rs.2,875/- in doct.No.1905/2007 and Rs.40,960/- in doct.No.5233/2007 to the Government exchequer, as pointed out in L.A.R. for the year 2007-08 of Sub Registrar Office, Chilakaluripet.

CHARGE-VI:

That Sri P.Sivakesava Rao, Sub Registrar, Sub Registrar Office, Chilakalruiepet had registered the mortgage deed vide document No.42/08 mortgaging the schedule property of an extent of Ac. 12.88 cents for the loan amount of Rs. 14,20,000/- granted by the State Bank of India, Chilakaluripet, exempting the stamp duty as per G.O.Ms.No.516 Revenue (Registration & Mandal) Department Dated:03.08.94 though the mortgagor is not a small land holder, resulting in loss of stamp duty of Rs.25,200/- to the Government exchequer as pointed out in L.A.R. Para for the year 2007-08 of Sub Registrar Office, Chilakaluripet.

CHARGE-VII:

That Sri P.Sivakesava Rao, Sub Registrar, Sub Registrar Office, Chilakaluripet, had registered the doct.No.6033/2007 with wrong calculation of market value of the property, resulting in undervaluation of the document causing loss of legitimate revenue of Rs.5,330/- to the Government exchequer as pointed in L.A.R. Para for the year 2007-08 of Sub Registrar Office, Chilakaluripet.

CHARGE-VIII:

That Sri P.Sivakesava Rao, Sub Registrar, Sub Registrar Office, Chilakaluripet, had registered the mortgage deeds as equitable mortgage instead of simple mortgage as pointed out in Internal Audit reports resulting in loss of legitimate revenue of Rs.2515/- in doct.No. 1905/07, Rs.8700/- in doct.No.2477/2007, Rs.8700/- in doct.No.2635/2007, Rs.11,600/- in doct.No.2636/2007.

CHARGE-IX:

That Sri P.Sivakesava Rao, Sub Regisrar, Sub Registrar Office, Chilalakaluripet, had registered the doct.No.3691/2007 without calculating the correct market value of the property, resulting in undervaluation of the document causing loss of legitimate revenue of Rs.6365/- to the Government exchequer.

2. Whereas, in the reference 2nd read above, the Charged Officer has submitted Written Statement of Defence denying the charges. Having not

Contd., 3

convinced with the Written Statement of Defence, the Disciplinary Authority i.e., the Deputy Inspector General, Registration & Stamps, Guntur had appointed the District Registrar, Guntur as Regular Enquiry Officer in the reference 3rd read above.

3. In the reference 4th read above, the Regular Enquiry Officer submitted the report holding that the charges I to V, VIII & IX were held not proved and the charges VI & VII were held proved against Sri P.Sivkesava Rao, former Sub Registrar (now Retired).

4. In the reference 5th read above, the Deputy Inspector General, Registration & Stamps, Guntur while communicating the Inquiring Authority report has called for his defence statement on the findings of the Inquiring Officer.

5. In the reference 6th read above, the Charged Officer submitted representation stating mainly among others that the party did not show any separate rate for site, or walls or roof, or steps or compound wall since the property is one single piece of a two storied building and as such the value of the entire building of Rs.9.5 Lakhs as stated by the party thrice in the document is the highest of the values, and duties were paid on such highest rate of Rs.9.5 Lakhs though the departmental value was Rs.4.44 Lakhs and requested the Deputy Inspector General, Registration & Stamps, Guntur to drop the charges.

6. The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad, has transmitted the proposal of the Deputy Inspector General, Registration & Stamps, Guntur to Government for taking necessary action in the matter under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980, since the Charged Officer Sri P.Sivkesava Rao, former Sub Registrar was retired from service.

7. Government after careful examination of the matter in light of the Regular Enquiry Officer report and after taking into consideration of the representation of the Charged Officer, provisionally decided to impose a punishment of 5% cut in pension permanently besides recovery of loss of Rs.30,530/- from the Charged Officer Sri P.Sivakesava Rao, former Sub Registrar (now Retired) for the charges VI & VII held proved. Accordingly, a Show Cause Notice has been issued to the Charged Officer with a direction to show cause as to why the proposed punishment should not be imposed against him within 15 days from the date of receipt of the Show cause notice in the reference 9th read above.

8. In the reference 10th read above, the Charged Officer submitted representation stating that he has already submitted detailed representation and requested the Government to consider his request and release all pensionery benefits.

9. Government have examined the matter in light of the representation of the Charged Officer and observed that the Charged Officer has not putforth any new grounds and requested the Government to withhold the disputed amount of Rs.30,530/- and to release all the remaining pensionery benefits pending finalisation of the case. Therefore, Government have decided to confirm the provisional decision i.e., to impose a punishment of 5% cut in pension permanently besides recovery of loss of Rs.30,530/- from the Charged Officer Sri P.Sivakesava Rao, former Sub Registrar (now Retired) for the charges VI & VII held proved.

10. The Andhra Pradesh Public Service Commission have also agreed with the proposal of the Government in the reference 12th read above (copy enclosed to the Charged Officer).

11. Therefore, Government, hereby order to impose a punishment of 5% cut in pension permanently besides recovery of loss an amount of Rs.30,530/- against Sri P.Sivakesava Rao, former Sub Registrar (now Retired).

Contd., 4

12. The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad / Deputy Inspector General, Registration & Stamps, Guntur shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Director & Inspector General, Registration & Stamps,
Andhra Pradesh, Hyderabad.
The Deputy Inspector General, Registration & Stamps, Guntur.
The Individual (w.e)
(**through** the Deputy Inspector General, Registration & Stamps, Guntur with a request to serve the order and furnish the served copy with dated acknowledgement to Government for record).

Copy to:
The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Hyderabad.
The Andhra Pradesh Public Service Commission, Hyderabad.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER